

REMARKS

Claims 1-15 are cancelled. Claims 16-38 are pending in this application. No new matter has been added by this amendment.

Claims 1-38 were rejected under 35 U.S.C. 101 for statutory double patenting in light of US Patent 6,751,667 (USP '667). In response to this rejection, Applicant has cancelled claims 1-15. Applicant respectfully traverses the statutory double patenting rejection with respect to claims 16-38.

Claims 16-17 are method claims, as are claims 1-6 of USP '667. Claims 18-19 are system claims, as are claims 7-15 of USP '667. However, claims 18-19 are missing steps of claims 1-6 of USP '667, and claims 18-18 are missing elements of claims 7-15 of USP '667. Therefore, Applicant respectfully submits that claims 16-19 are not coextensive in scope with any of the claims of USP '667, and Applicant believes the Examiner's statutory double patenting rejection of claims 16-19 has been overcome.

Claims 20-38 each include "faster memory" and "slower memory" elements. None of the claims of USP '667 expressly include faster and slower memory elements. Therefore, Applicant respectfully submits that claims 20-38 are not coextensive in scope with any of the claims of USP '667, and Applicant believes the Examiner's statutory double patenting rejection of claims 20-38 has been overcome.

Conclusion:

In view of the foregoing, reconsideration of the examiner's rejections and an early notice of allowance of claims 16-38 are earnestly solicited.

It is respectfully submitted that all pending claims are in condition for allowance, and Applicant respectfully requests that allowance be granted at the earliest date possible. Should the Examiner have any questions or comments regarding Applicant's amendments or response, the Examiner is asked to contact Applicant's undersigned representative at (215) 988.2700.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0573.

Respectfully submitted,

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